

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	<u>PATENT APPLICATION</u>
Inventor(s): Daryl B. Olander	
Appln. No.: 10/789,970	Art Unit: 2174
Confirm. No.: 9424	Examiner: Belousov, Andrew
Filed: February 27, 2004	
Title: GRAPHICAL USER INTERFACE NAVIGATION METHOD	<b>Customer No. 80548</b>

**TRANSMITTAL LETTER RE INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

***Enclosed with this statement are the following:***

- Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- As allowed under 37 C.F.R. § 1.98(a)(2)(ii), no copies of the U.S. patents and U.S. patent application publications are enclosed, unless required by the office.

*This statement should be considered because:*

       37 C.F.R. §1.97(b). This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);  
      -- OR --
- (2) It is being filed within 3 months of entry of a national stage;  
      -- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits;  
      -- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

✓ 37 C.F.R. §1.97(c). Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.  
      -- AND (check at least one of the following) --
- (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(c).  
      -- OR --
- ✓ (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

FLIESLER MEYER LLP

Date: December 31, 2008

By: /Joseph P. O'Malley/  
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